

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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CAROL PERUSO and BEN PERUSO (per quod),

DOCKET NO.:

10-488 (SRC)

Plaintiff,

*Answer, Separate Defenses, Demand for  
Specification of Damages, Jury Demand  
Notice of Designation of Trial Counsel,  
and Certification*

vs.

ATLANTIC CITY SHOWBOAT, LLC,  
HARRAH'S ENTERTAINMENT INC., and  
JOHN DOES 1-5 (fictitious names), and ABC  
COMPANIES 1-5 (fictitious names),

Defendants.  
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U.S. DISTRICT COURT  
2010 JAN 26 P 2:30

Defendant Showboat Atlantic City Operating Company, LLC, d/b/a Showboat Casino Hotel  
*incorrectly sued herein as* Atlantic City Showboat, LLC., and Harrah's Entertainment, Inc., by its  
attorneys CAMACHO MAURO MULHOLLAND, LLP, as and for its answer to the plaintiff's  
complaint, respectfully alleges:

***AS AND FOR A FIRST COUNT***

1. Denies.
2. Denies.
3. Denies knowledge and information sufficient enough to form a belief as to the truth  
of this allegation.
4. Denies upon information and belief.
5. Denies.

***AS AND FOR A SECOND COUNT***

1. Defendant Showboat Atlantic City Operating Company, LLC, d/b/a Showboat  
Casino Hotel repeats and reiterates each and every denial heretofore made in this answer to the

paragraphs of the complaint designated "1" through "5" inclusive, with the same force and effect as if set forth here more particularly at length, all in response to the paragraph of the complaint designated a second count "1".

2. Denies.

3. Denies.

4. Denies.

5. Denies.

***AS AND FOR A THIRD COUNT***

1. Defendant Showboat Atlantic City Operating Company, LLC, d/b/a Showboat Casino Hotel repeats and reiterates each and every denial heretofore made in this answer to the paragraphs of the complaint designated "1" through "5" inclusive, with the same force and effect as if set forth here more particularly at length, all in response to the paragraph of the complaint designated a third count "1".

2. This defendant makes no response to this paragraph as it is directed to other parties except that any inference of negligence or liability against this defendant is denied.

3. This defendant makes no response to this paragraph as it is directed to other parties except that any inference of negligence or liability against this defendant is denied.

4. This defendant makes no response to this paragraph as it is directed to other parties except that any inference of negligence or liability against this defendant is denied.

5. This defendant makes no response to this paragraph as it is directed to other parties except that any inference of negligence or liability against this defendant is denied.

***AS AND FOR A FOURTH COUNT***

1. Defendant Showboat Atlantic City Operating Company, LLC, d/b/a Showboat Casino Hotel repeats and reiterates each and every denial heretofore made in this answer to the paragraphs of the complaint designated "1" through "5" inclusive, with the same force and effect as if set forth here more particularly at length, all in response to the paragraph of the complaint designated a fourth count "1".

2. Denies.

***AS AND FOR A FIRST SEPARATE DEFENSE***

3. The within action is barred or limited in accordance with the provisions of the Comparative Negligence Act and the N.J.S.A. 2A:15-5.1, et. seq.

***AS AND FOR A SECOND SEPARATE DEFENSE***

4. The defendant was not guilty of any negligence.

***AS AND FOR A THIRD SEPARATE DEFENSE***

5. Any injury, damage or loss sustained was the result of the negligence of third parties over whom this defendant had no control.

***AS AND FOR A FOURTH SEPARATE DEFENSE***

6. Plaintiffs have recovered the costs of medical care, dental care, custodial care, rehabilitation services, loss of earnings and other economical loss and any future such loss or expense will, with reasonable probability, be replaced or indemnified in whole or in part from collateral sources. Any award made to plaintiffs shall be reduced in accordance with the provisions of N.J.S.A. 2A:15-97.

***AS AND FOR A FIFTH SEPARATE DEFENSE***

7. The Complaint fails to allege facts or set forth a cause of action upon which relief can be granted.

***DEMAND FOR SPECIFICATION OF DAMAGES***

Pursuant to Rule 4:5-2, the defendant Showboat Atlantic City Operating Company, LLC, d/b/a Showboat Casino Hotel, hereby demands of plaintiffs Carol Peruso and Ben Peruso, a specific statement of the amount of money damages claimed on each count of the complaint.

***JURY DEMAND***

Defendant Showboat Atlantic City Operating Company, LLC, d/b/a Showboat Casino Hotel, hereby demands a trial by jury on all of the issues.

***NOTICE OF DESIGNATION OF TRIAL COUNSEL***

PLEASE TAKE NOTICE that, pursuant to Rule 4:25-4, notice is hereby given that Christopher C. Mauro, is designated as trial counsel in the above matter.


***CERTIFICATION***

The undersigned hereby certifies that the matter in controversy is not the subject of any other court action or arbitration proceeding, now pending or contemplated, and that no other parties should be joined in this action.

The undersigned hereby certifies that the within pleading has been filed and served in accordance with New Jersey Rule 4:6.

WHEREFORE, defendant Showboat Atlantic City Operating Company, LLC, d/b/a Showboat Casino Hotel, demands judgment dismissing the complaint herein together with the costs and disbursements of this action.

Dated: Princeton, New Jersey  
January 26, 2010

  
CAMACHO MAURO MULHOLLAND, LLP

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By: Christopher C. Mauro  
12 Roszel Road - Suite A-204  
Princeton, New Jersey 08540  
(609) 452-7999 fax: (609) 452-9222  
Attorneys for Defendant Showboat Atlantic City  
Operating Company, LLC, d/b/a Showboat  
Casino Hotel.  
Our File No.: HARJ-2502-C

CAMACHO MAURO MULHOLLAND

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Princeton, New Jersey 08540

(609) 452-7999 fax: (609) 452-9222

Attorneys for Defendant: Showboat Atlantic City Operating Company, LLC, d/b/a Showboat Casino Hotel.

Our File No.: HARJ-2502-C

PROOF OF MAILING: On January 26, 2010, I, the undersigned, mailed to:

Christopher W. Ferraro

Sellar Richardson, P.C.

293 Eisenhower Parkway – Suite 170

Livingston, New Jersey 07039

(973) 992-6677

Attorneys for Plaintiff

by prepaid First-Class Mail, a copy of the attached:

***Answer, Separate Defenses, Demand for  
Specification of Damages, Jury Demand  
Notice of Designation of Trial Counsel,  
and Certification***

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements by me are willfully false, I am subject to punishment.

Dated: New York, New Jersey

January 26, 2010

  
Gloria Zapata